

Senate Bill No. 727

Passed the Senate August 22, 2006

Secretary of the Senate

Passed the Assembly August 14, 2006

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2006, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 7311.5 to the Labor Code, relating to safety in employment.

LEGISLATIVE COUNSEL'S DIGEST

SB 727, Lowenthal. Safety in employment: special purpose personnel elevators.

Existing law prohibits the construction, erection, installation, material alteration, testing, maintenance, repair, or service of specified conveyances by any person, firm, or corporation, unless that person, firm, or corporation is certified by the Division of Occupational Safety and Health as a certified qualified conveyance company. Existing law also generally requires that any person who, without supervision, erects, constructs, installs, alters, tests, maintains, services or repairs, removes, or dismantles specified conveyances be certified as a certified competent conveyance mechanic by the division.

This bill would provide that a person, firm, or corporation that maintains and repairs solely special purpose personnel elevators, as defined, on cranes that utilize a rack and pinion system in marine terminals, as defined, as part of crane maintenance activities, qualifies as a certified qualified conveyance company provided that the individual qualifying individually or on behalf of the firm or corporation meets certain experience requirements. This bill would provide that a person may qualify as a certified competent conveyance mechanic by meeting specified experience requirements. This bill would also provide that the certifications obtained pursuant to these provisions are limited to the purpose of maintaining and repairing special purpose personnel elevators on cranes that utilize a rack and pinion system in marine terminals, do not authorize the performance of other specified procedures, and do not require an examination.

The people of the State of California do enact as follows:

SECTION 1. Section 7311.5 is added to the Labor Code, to read:

7311.5. (a) A person, firm, or corporation that maintains and repairs solely special purpose personnel elevators on cranes that utilize a rack and pinion system in marine terminals as part of crane maintenance activities qualifies as a certified qualified conveyance company under Section 7311.1 if the individual qualifying individually or on behalf of the firm or corporation has five years' work experience at a journeyperson level in the crane maintenance industry, including experience in the maintenance and repair of crane elevators. This experience shall be verified by a person, firm, or corporation in the business of maintaining and repairing cranes in marine terminals.

(b) A person qualifies as a certified competent conveyance mechanic under Section 7311.2 if the person has three years' work experience in the crane maintenance industry, including experience in the maintenance and repair of crane elevators, as a journey-level mechanic without direct and immediate supervision. This experience shall be verified by a crane maintenance company approved as a certified qualified conveyance company pursuant to subdivision (a).

(c) The certifications obtained pursuant to this section may only be used for the limited purposes of maintaining and repairing special purpose personnel elevators on cranes that utilize a rack and pinion system in marine terminals.

(d) A person, firm, or corporation that qualifies for certification as a certified qualified conveyance company or certified competent conveyance mechanic is not authorized to perform any of the following procedures:

(1) Any work on a conveyance other than a special purpose personnel elevator on cranes that utilize a rack and pinion system in marine terminals.

(2) Any work related to new elevator installations.

(3) Any modifications or alterations of existing elevator systems.

(4) Testing or replacing of emergency brakes, centrifugal brakes, emergency safety devices, or electrical systems.

(5) Annual certifications of any type of conveyance or elevator.

(e) The certifications authorized by this section require experience but do not require an examination because the general examination given pursuant to this chapter is inapplicable to the

work described in this section. The division is not required to set up specialty examinations to certify persons pursuant to this chapter.

(f) For purposes of this section, the following terms shall have the following meanings:

(1) “Special purpose personnel elevators” shall have the same meaning as defined in Section 3085 of Title 8 of the California Code of Regulations.

(2) “Marine terminal” shall have the same meaning as used in Section 3460 of Title 8 of the California Code of Regulations.

(g) Nothing in this section exempts a person, firm, or corporation applying for certification as a certified qualified conveyance company or a certified competent conveyance mechanic under this section from paying the administration fees required under this chapter.

Approved _____, 2006

Governor